

## WINTER GARDEN YIELDS TO STRIKE

Shuberts Decide Not to Fight Longer With Variety and Piano Orchestra.

## COHAN TO HEAD FIDELITY

Court To-day Decides on Permanency of Injunction Against Equity.

The Winter Garden production of vaudeville had its last performance for the time being last night, having been shelled off by the actors' strike. Lee and J. J. Shubert announced that they were no longer able to give a performance up to the Winter Garden standard, for with a single pianist in the orchestra, one set of scenery and variety acts garnished with chorus work audiences failed to flock.

This makes the twenty-second attraction, exclusive of three roof garden shows, which has been shelled off by the strike. The Shuberts are preparing for a big legal battle in the Supreme Court to-day with the hope of breaking the strike by injunction. They are represented by only one theatre in Broadway, William A. Brady at the Playhouse fighting a rearguard action with "At 9:45." The only other productions remaining are "John Ferguson" at the Fulton, "The Green Valley" at the Hippodrome, the fate of which is problematical, and "The Green Valley" at the Hippodrome, which are out of the hands of the Green Valley Theatre. George M. Cohan has accepted the presidency of the new Actors' Fidelity League, the organization of players and the sale of the Actors' Equity Association and make Broadway once more a safe thoroughfare to follow the strike. Announcement to this effect was made yesterday at the headquarters of the league, 122 West Forty-third street, where it was said the committee in charge had telephoned to the manager at his home at Grand Neck early yesterday morning and learned of his willingness to embark on this new strike. Cohan has not yet resigned from the Producing Managers' Association, but it was said he would do so before actually being inducted into office. A ceremony which will be performed with pomp and circumstance and a general din at a league mass meeting in the Hotel Biltmore to-night at 8 o'clock. It is expected that at this time Mr. Cohan will make a definite announcement concerning his mooted retirement from the stage and from partnership with Sam Hays, a question which has kept the theatrical circles this last few days positively agog with uncertainty.

## No Salaries Attached.

At this meeting also the other officials of the organization will inaugurate their term of office, all of them serving for the good of the stage and not for the good of their pocketbooks. The league membership was reported yesterday to be approaching 500.

This will be only one of several meetings that will keep the strike brew fermenting to-morrow. In the afternoon at 1 o'clock the Stage Writers' Protective Association will endeavor to corral all the literary talent available at a meeting in the Hotel Astor, where means will be discussed for preventing authors from being crushed between the upper and nether millstones of actors' and managers' organizations. At the same time the Motion Picture Industry will be convening at their headquarters, and it is anticipated there will be a heated term over the association's recent stand on the actors' strike.

## Nash Off to Saratoga.

George Nash left last night for Saratoga to arrange for the performance which the Equity will produce there this week in Convention Hall as part of its own vaudeville circuit. A special train will carry the players to the Springs on Monday morning. Nash is a member of the Equity, and has appeared in the Lexington Theatre. The strike starts its second benefit week to-night with a new production, "John Ferguson," which remains to settle the whole controversy in one act.

These enterprises, it became known yesterday, are being launched by a national cooperative theatre organization on a profit sharing basis similar to the Equity Guild, whose production, "John Ferguson," has been able to come through the recent bargains unscathed. The officers of this body, with Earl Borge in charge, met yesterday in Keen's chop house—the numerous subsidiary headquarters of the Equity—and discussed the establishing of a play reading and casting department, as well as a good meal. The managers, however, do not yet believe the future of the theatre is secure.

## Took Slam at Equity.

Equity representatives said they had been given to understand that George White had become affiliated with the P. M. A., which is putting his production, "Scandals of 1919," previously exempted, under cover on Saturday. It was also reported that Mr. White had made comments about the Equity which leaders of that body considered worse than rude.

## CHICAGO HOUSES ALL DARK.

Striking Actors Planning for Benefit Performance.

CHICAGO, Aug. 24.—With all the major theatres here closed striking actors to-night planned a week of rehearsal for a benefit production, including the stars of the shows stopped by the strike of members of the Actors' Equity Association ten days ago. As planned, the play would open in Chicago with a tour of one night stands in Illinois and Indiana cities following. Scenery was removed from some of the closed theatres to-day after permission was obtained from a representative of the Actors' Equity Association and strikers were permitted to take away their personal effects.

## 21 PERSONS HURT IN 6 MOTOR ACCIDENTS

Two Suffer Fractured Skulls When Trolley Hits Car on 72d Street.

## WOMAN'S ARMS BROKEN

Six Injured Are Victims of Cycle Collisions—One Arrest Made.

## NIXON WILL HEAR WESTCHESTER MEN

Public Service Commissioner to Endeavor to Bring the Strike to an End.

Lewis Nixon, Public Service Commissioner, will hear at 3 o'clock to-day the representatives of the New York, Westchester and Boston Railway and the leaders of the striking motormen and conductors who have stopped the system by a walkout which went into effect last Thursday. According to the strikers the hearing will result either in the granting of the demands of the men or cause them to direct their representative, T. G. Griffing, assistant chief of the Brotherhood of Railroad Engineers, to start a sympathetic strike involving the New York, New Haven and Hartford system. Mr. Griffing hurriedly left the Herald Square Hotel last night and was reported to be on his way to Washington to confer with other officers of the Brotherhood.

There is small possibility of the Westchester officials giving any ground in their attitude toward the strikers' demands, which call for a decided increase in wages, according to Leverett G. Miller, president of the men. The non-union men who have been procured through advertising trains over the line carrying no passengers.

The first since the strike, is in compliance with the State law making it compulsory for all "green" employees to be first trained on the line. The strike affected several days in order to become acquainted with its grades, curves and signal system.

The great crowd of Sunday visitors to Pelham Park, City Island, New Rochelle, White Plains and other sections served by the Westchester road were carried on the surface cars of the Union Railway Company and the Westchester trolley lines, which took care of some 25,000 pleasure seekers. There was very little confusion.

## NO STRIKE PLANNED FOR HOTEL WAITERS

Lehman, Business Agent, to Organize Them First.

William Lehman, secretary and business agent of Waiters Union, Local No. 1, wants it distinctly understood that he will not call out the waiters of the first and second class hotels until he has organized them so perfectly that the managers will meet their demands. All reports to the contrary are untrue, he said yesterday at his headquarters in East Twenty-ninth street, where he explained the strike in all its ramifications to reporters.

"The hotels are running open shops," Mr. Lehman said. "The waiters are not organized there at all, so we will not call them out until I have them organized so tight that the managers will just say, 'Take what you want, but stay with me.' Any statement that I intend to call a strike of the hotel waiters is not true. I don't intend to call a strike in the hotels until I'm ready."

## WORLD TO-DAY A JOKE, SAYS SUNDAY

Revivalist Takes Rap at Everything in Asbury.

ASBURY PARK, Aug. 24.—Billy Sunday told an audience of 13,000 here to-day that he had never gone against the advice of "Ma" Sunday without finding himself up against it. "She may never win a prize at a beauty show," he said, "but she has more horse sense than any other woman I've ever met."

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## MRS. BURNS LEAVES \$3,000,000 ESTATE

Morgan Relative Bequeaths \$250,000 to Son-in-Law.

## ONE DEAD, SCORE INJURED IN WRECK

Third Section of Washington Excursion Train Crashes Into Cars Ahead in Jersey.

## FOUR COACHES SMASHED

Engineer Heard Torpedoes, but Was Too Late to Avoid Collision.

Special Dispatch to THE SUN. ATLANTIC CITY, Aug. 24.—One man was killed and a score of other persons were injured in a rear-end collision of two sections of a northbound excursion train from Washington near Amato, N. J., this morning at 8 o'clock.

The dead man has been identified as Odie S. Wathen of Washington, D. C., who was crushed between two cars and died half an hour after being taken from the wreck. Most of the injured have been brought to hospitals here, and all are expected to recover.

## AMUNDSEN MAY FLY LAST LAP TO POLE

Explorer Believed to Be Drifting in Schooner North of Western Siberia.

By the Associated Press. SEATTLE, Aug. 24.—Bound for the North Pole, Roald Amundsen, Norwegian discoverer of the South Pole, is at present drifting in his ice locked schooner, the Maud, somewhere north of western Siberia, according to beliefs held by the Seattle Norwegian Vice Consulate and Vilhjalm Stefansson, Canadian Arctic explorer.

In planning the trip the explorer said he expected to reach the pole by a return either to Grant Land, west of Greenland, or Melville Island, which lies in the Arctic Ocean north of Canada. He would reach Melville Island, he probably would journey by sea to Nome, Alaska, or overland to Dawson, Yukon Territory.

## CANOEISTS KILLED BY LIGHTNING BOLT

Were Seeking Refuge From Storm Beneath Tree.

A severe electrical storm which swept across upper Manhattan and The Bronx last night claimed two victims, struck several houses, and blew down fences and trees. Harold O'Dell and Catherine Slattery of New Rochelle, canoeing on the Sound, took refuge from the sudden storm on Glen Island and were standing under a tree when an electrical bolt struck it, killing them both.

The girl was a daughter of a New Rochelle postman living at 46 Grove avenue. She was employed as an assistant secretary in the National City Bank in New Rochelle. O'Dell was the son of a city Island avenue was struck by lightning and set afire. A portion of the top floor was burned away. A fence at Valatie avenue near 175th street was blown down, and a number of small trees in the vicinity were uprooted.

## NEGROES ASK A HEARING

Would Seek Equal Rights Under Treaty in Senate.

BOSTON, Aug. 24.—The National Equal Rights League, through its corresponding secretary, William M. Trotter of this city, sent a telegram to Senator Lodge to-day asking for a hearing before the Senate Foreign Relations Committee. The league desires to present its views in support of an amendment to the League of Nations covenant guaranteeing full protection of life and full equality of rights to all negro citizens of the allied and associated nations.

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## BLIND MAN CUTS THROAT WITH SHOE

Edge of Sole Weapon Used by Brooklyn Suicide.

Using the sharp edge of a new pair of shoes, which he had never worn, to cut his throat, Patrick Fay, 45, an inmate of the House of the Blind, 216 Gates avenue, Brooklyn, ended his life yesterday afternoon. Fay had been in the institution for a year and had been a favorite in the home. He was a skillful pianist, and an honest, hard worker. His life was playing the piano in the reception room at the home.

## Books for the Up-to-Date Boy

The up-to-date boy is not so much inclined as was his father, when he was in knickers, to the red Indian, lurid type of story. He is just as much a boy as was his dad, but his literary longings are more practical. He wants his serious reading spiced with adventure, to be sure, but for all that he takes more pleasure in the things that count than in tales which merely thrill. To illustrate what we mean look over this list of books for boys:

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## HESSIAN CAMP RUINS FOUND ON BROADWAY

Cellar Diggers Unearth Revolutionary Relics.

The ruins of a camp occupied by the Hessians during the American Revolution were unearthed on Broadway between 15th and 17th streets two or three days ago by workers who were excavating for the foundations of a new motion picture theatre. The diggers came upon an open fireplace and the flooring of a hut about twelve feet below the surface of the ground, and Reginald P. Bolton and William B. Calver of the New York Historical Society declared that the ruins were part of the old Hessian camp.

Mr. Bolton and Mr. Calver, as soon as they heard of the find, undertook to supervise the rest of the digging and workers brought to view several gold bullets on which were stamped the Hessian coat-of-arms, other buttons which appeared to have been worn by private soldiers and several bullets. A second fireplace was also found, built like the first, of round cobble stones and in a good state of preservation. According to the records of the Historical Society, the Hessians built some forty or more huts in that locality during the battles with the Continental Army under Washington, and Mr. Bolton and Mr. Calver expect to discover other buildings as well as other interesting relics.

## BAKER ACCUSED OF YIELDING TO I. W. W.

Delayed Aircraft Work by Refusing Troops.

Special Dispatch to THE SUN. WASHINGTON, Aug. 24.—Congress Secretary Baker delayed aircraft production by refusing to send troops to the spruce forests of the Pacific coast to quell disturbances among the I. W. W. have been made to the special House committee investigating aviation expenditures by former Major Charles B. Sligh, a furniture manufacturer of Grand Rapids, Mich.

Mr. Sligh's charges were made to the subcommittee while it was en route to the Pacific coast to investigate the spruce situation, and were sent to Chairman Graham (Ill.) of the special House War Department Investigating Committee.

A statement of the committee says: "In regard to trouble made by the I. W. W., Major Sligh testified that they were creating trouble; intimating that workers who desired to work on that spruce production were confined to a small area, it was estimated that a force of four companies of United States troops could easily handle the situation and protect those who desired to work. This situation, Major Sligh said, he laid before Howard Coffin of the Aircraft Board, adding: 'Mr. Coffin told me that the Secretary of War had refused to send troops for that purpose and instead of doing that the Secretary had himself sent a wire out there advising the I. W. W. that they were in a six weeks' contest and during that time the production of spruce in Washington was practically at a standstill.'"

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Another inmate heard groans coming from Fay's room and upon going to the door he found Fay lying on the floor with blood, beside him on the floor.

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Would Seek Equal Rights Under Treaty in Senate.

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## HERRON SEEKS TO STOP RAND FUND

Bolting School, He Would Deprive It of \$2,000 Yearly Income.

Another falling out in the ranks of radicalism came to light here yesterday when it was learned that Dr. George D. Herron, one of the trustees of the Rand School of Social Science, has bolted the Socialist ranks and is seeking to curtail the institution's income.

Dr. Herron is the one time preacher who was appointed President of the Rand School of Social Science, has bolted the Socialist ranks and is seeking to curtail the institution's income. He is also one of the trustees of a fund left by Mrs. Rand for the establishment and perpetuation of the Socialist school which bears her name, the other trustees being Morris Hillquit, who is held by illness in the Adirondacks.

With the news of Dr. Herron's flop from the advance guard of radicalism to the conservative platform comes the information that he has written the Burlington Savings Bank of Burlington, Ia., custodian of the Rand estate, asking that payments to the school be stopped at once.

John J. Fleming, president of the bank, has replied to Dr. Herron that he can do nothing but comply with the terms of Mrs. Rand's will. The school gets about \$2,000 annually from the property, and it was reported yesterday that Herron would bring suit to compel the bank to divert this flow of currency at an early date.

The dismay which this information has caused in the cults of the extreme left is hardly to be wondered at. Herron is an idol of the long haired movement, and has been looked upon as one who went to far greater extremes than the organized cults would venture. He has been singled out from every Socialist platform time and again, and for him to take such a stand as he now assumes is regarded by these cults as the undoing of all.

At the present time Dr. Herron cares not how the bobbied heads shake in anger, for he is sojourning at Zurich, Switzerland, where he took Carrie Rand, daughter of the school founder, after his elopement with her, and this woman who died several years ago left him about \$100,000 of money. The Socialist and his second wife lived for a long time in Italy.

From his Switzerland retreat he issued his recantation and tells how, from an extreme radical who abandoned a loving wife, four children and a pupil to follow a rich soul mate, he has changed to an arch enemy of radicalism, especially when the radicalism derives income from a fund. He says that if either Mrs. E. B. Rand or her daughter Carrie was alive to-day, she would withdraw support from the German and Bolshevik school at 17 East Fifteenth street.

In addition to the fund which it derives from the estate of the school founder, the school has an income from its printing department and its classes, which teach radicalism for a small consideration.

## EIGHT CHINESE ARRESTED.

Director of Smuggling Party is Also Seized.

EASTPORT, Me., Aug. 24.—United States immigration and customs officers took into custody eight Chinese and arrested the driver of the automobile in which they were being taken in the town of Eastport, Me. to-day. The man in charge of the party also was arrested. All were taken to Calais, and a hearing will be given them to-morrow. The party, which had been in the town for four days, was brought on a boat from St. John, N. B., and smuggled ashore at a cove near this city. They were placed in the motor car and started for Bangor, but were captured four miles from Eastport. About nine pounds of opium also was seized.

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